



STATE OF DELAWARE
THE PUBLIC SERVICE COMMISSION
861 SILVER LAKE BOULEVARD
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE: (302) 736-7500
FAX: (302) 739-4849

August 25, 2014

MEMORANDUM

PUBLIC VERSION

TO: The Chair, Members of the Commission, and
Robert Howatt, Executive Director

FROM: Vincent Ikwuagwu, Public Utilities Analyst

SUBJECT: In the Matter of the Safety Valve Application of Verizon Delaware LLC To Obtain
Additional Telephone Numbers in Delaware
(Filed August 12, 2014) - PSC Docket No. 14-0282

Case Background

On August 12, 2014, Verizon Delaware LLC ("Verizon") filed with the Delaware Public Service Commission (the "Commission") a "safety valve" application seeking to acquire 1000 consecutive telephone DID numbers ending in the 8000 to 8999 range for installation in the location of one of its corporate customers in Dover located in Kent County, Delaware after its request was denied by NeuStar, Inc. ("NeuStar"), the Federal Communications Commission ("FCC") designated "North American Numbering Plan Administrator" ("NANPA") and its "National Thousands Block Numbering Pool Administrator" ("PA").

To obtain additional number blocks of telephone numbers from NeuStar, the FCC requires that a telecommunications carrier must demonstrate to the NANPA/PA that: (1) the rate center equals or exceeds a 75% utilization level (meaning that the carrier is using at least 75% of the assigned numbers); and (2) its existing inventory of number resources within a particular rate center will exhaust within six (6) months (referred to as "months to exhaust," or "MTE").

According to the application, Verizon filed an application with NeuStar seeking the number blocks to serve a Delaware customer (a copy of which was attached to Verizon's proprietary version of its safety valve application). NeuStar asserts that the request for 1000 consecutive telephone numbers was denied because it did not meet the Months to Exhaust

(MTE) and /or Utilization requirements for these rate centers. The utilization rate for the Dover rate center was calculated to be 67.755%. This is below the NANPA/PA the utilization rate threshold of 75%.

Also, Verizon's calculated MTE for Dover was 82,314 months. These do not meet the MTE requirement of six (6) months or less.

Request for Safety Valve Relief:

Under 47 C.F.R. §52.15(g)(4), a state commission may grant "safety valve" relief allowing a carrier to obtain additional NXX numbers even if the NANPA/PA initially denies such a request.¹ By PSC Order No. 7183 entered on May 22, 2007, the Commission adopted a process for reviewing these "safety valve" applications.² Through its application to the Commission, Verizon has requested safety valve relief to obtain 1000 consecutive DID telephone numbers it requested, but was initially denied in its application to NeuStar.

As set forth in PSC Order No. 7183, any carrier seeking "safety valve" relief shall submit an application to the Commission that contains certain information to allow the Commission to make a reasoned determination. Each of the four (4) requirements and Verizon's response to that requirement is set forth below:

(1) A compelling and permissible need for the requested additional numbering resources (with appropriate reference to rules or orders of the FCC).

Verizon states that one of its Delaware customers, ____ (Redacted) ____, has an urgent need for 1000 consecutive DID telephone numbers. ____ (Redacted) is installing a new ISDN PRI service and is requesting 1000 consecutive DID's for the installation. Verizon asserts that it is imperative that ____ (Redacted) receive the additional numbers in order to effectively communicate with their other existing facilities across the country. Verizon does not have the current inventory to satisfy this customer's requirements. According to the Third Report and Order and Second Order on Recon. in CC Dkt. No. 96-98 and CC Dkt. No. 99-220, at ¶¶ 61-64, 17 FCC Rcd. 252 (2001) (the "Third Order"), a state commission may grant a carrier's safety valve request when the carrier receives a specific customer request for numbering resources that exceeds the carrier's available inventory. Though Verizon's current inventory is sufficient to provide telephone numbers, Verizon is unable to meet this customer's specific needs of contiguous telephone numbers without obtaining additional numbering resources.

(2) A description as to why the granting of the particular application will not run the risk that numbering resources will be inefficiently used.

¹ 47 C.F.R. §52.15(g)(3)(iv) provides in pertinent part as follows: "The state commission may affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein."

² As allowed by PSC Order No. 7183, Robert Howatt, Executive Director, has designated Vincent O. Ikwuagwu, a Public Utility Analyst, to review the application and prepare a memorandum of findings and recommendations.

The granting of this application by Verizon will not result in numbering resources being inefficiently used because Verizon will use the additional numbering resources for only this specific customer, ____ (Redacted). Further, Verizon agrees to return the numbering resources to NeuStar if the customer request is withdrawn or declined. Verizon further agrees that it will not retain the numbering resources to serve other customers without first meeting the FCC's growth numbering resource requirements per ¶64 of the Third Order.

(3) Written evidence that the NANPA or PA has rejected the carrier's direct request for the additional number resources.

Verizon included with its application: (1) a copy of the application filed with the NANPA/PA seeking the 1000 consecutive DIDs telephone numbers in the DOVRDEDVDS0 switch in the Dover Rate Center. (2) a copy of the response from the NANPA/PA which denied the request; and, (3) a letter from the customer to the Commission which further details the need for the 1000 consecutive DID telephone numbers.

(4) Describe any long-term impact to numbering resources if the request is granted.

Verizon asserts that there would be no long-term impact to the numbering resources in the State of Delaware. Verizon has stated the Dover Rate Center has approximately 26,560 available numbers distributed over 12 contaminated 1,000 blocks. Staff has calculated that the 1000 telephone numbers represents less than 1% (1000 divided by 128,000) of the total numbers in the Dover wire center alone. Verizon has 34 wire centers in the State of Delaware, so the block that it is requesting is insignificant when compared to the total amount of telephone numbers. Also, Staff notes that NeuStar projects that the numbering resources in Delaware are not expected to exhaust until 2027.

Recommendation

Staff has reviewed Verizon's application and finds that it has addressed the requirements set forth in PSC Order No. 7183 for the Commission to authorize the NANPA to release the numbering resources sought by Verizon in the attached application. Thus, Staff respectfully recommends that the Commission grant such request and direct that NeuStar, as the NANPA/PA, release the numbering resources to Verizon.

CC: Shari Smith, Verizon Delaware
Dave Bonar, Division of Public Advocate